



## **MARICOPA COUNTY JUSTICE COURT**

**If you want to file a...**

# **SMALL CLAIMS REQUEST TO TRANSFER TO THE CIVIL DIVISION**



## MARICOPA COUNTY JUSTICE COURT

Either party may request to transfer a small claims case to the justice court's civil division prior to **TEN (work) days** before the scheduled hearing.

**THE PARTY REQUESTING THE TRANSFER TO THE CIVIL DIVISION WILL BE ASSESSED THE CIVIL FILING FEE.**

**Also, if this is your first pleading, you will pay an answer fee.**

**Please STOP...**



If you are attempting to file the request within ten (work) days of the hearing date.

**Please PROCEED...**



If you are filing the request at least ten (work) days prior to the hearing date.

### FORMS Needed:



Small Claims Request for Transfer Case Designated as a Small Claims to the Civil Division

### INSTRUCTIONS:

- 1) Complete the form.
- 2) Make one copy for yourself.
- 3) File the original form with the court clerk and pay the fee(s).

IT IS IMPORTANT TO KEEP THE COURT APPRISED OF ANY CHANGE IN ADDRESS A NOTICE OF CHANGE OF ADDRESS form must be filed with the court when a party changes their address.

Visit us at [www.superiorcourt.maricopa.gov/justicecourts](http://www.superiorcourt.maricopa.gov/justicecourts) for additional filing information and online forms.

\_\_\_\_\_  
Filing Party Name

\_\_\_\_\_  
Address

## Maricopa County Justice Courts, State of Arizona

\_\_\_\_\_  
CASE NUMBER: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff(s) Name / Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Defendant(s) Name / Address

### REQUEST TO TRANSFER CASE DESIGNATED AS A SMALL CLAIM TO THE CIVIL DIVISION

I am the ☐ Plaintiff ☐ Defendant in this action.

☐ The hearing in this matter has not yet been set.

☐ There remains at least ten (10) days before the scheduled hearing.

Pursuant to ARS 22-504A, I object to this matter being heard in the Small Claims Division and request that it be transferred to the Civil Division of the Justice Court, and be heard under the provisions for civil actions.

Date: \_\_\_\_\_

☐ Plaintiff ☐ Defendant

### NOTICE OF TRANSFER TO THE CIVIL DIVISION AND NOTICE OF REQUIRED DISCLOSURE

☐ Defendant has requested that this case be transferred to the Civil Division.

☐ Defendant has obtained counsel.

☐ A counterclaim exceeding the jurisdiction of the Small Claims Division has been filed.

**THIS MATTER IS** transferred to the Civil Division of the Justice Court.

The new case number assigned for all further filings and proceedings is: \_\_\_\_\_

☐ The Small Claims Hearing scheduled for \_\_\_\_\_ has been vacated.

**YOU ARE REQUIRED** by Arizona Rules of Court, Rule 26, to exchange a disclosure statement with the opposing party on or before 5:00 PM on \_\_\_\_\_.

☐ A Disclosure Statement form is enclosed for the pro per litigant.

Date: \_\_\_\_\_

\_\_\_\_\_  
Justice of the Peace

**I CERTIFY** that I mailed a copy of this NOTICE OF TRANSFER and NOTICE OF REQUIRED DISCLOSURE to:

☐ Plaintiff at the above address

☐ Defendant at the above address

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Clerk

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Plaintiff or Attorney for Plaintiff

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Address

## Maricopa County Justice Courts, State of Arizona

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CASE NUMBER: \_\_\_\_\_

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Plaintiff(s) Name / Address

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Defendant(s) Name / Address

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### DISCLOSURE STATEMENT

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#### INSTRUCTIONS:

The Arizona Rules of Civil Procedure require that each party share with the other party all information known or available concerning this case. Please refer to Rule 26.1(b)(1), ARCP for more specific information concerning disclosure.

This DISCLOSURE STATEMENT provides a format for you to make such disclosure. This DISCLOSURE STATEMENT must be completed and exchanged with all parties within 40 days of the filing of the ANSWER. You should also be prepared to provide the other party with a copy of your disclosure at the PRETRIAL CONFERENCE. The court will notify you of the date and time of the PRETRIAL CONFERENCE when it has been scheduled.

During the course of the action, any new information must also be exchanged. Failure to comply could result in any of the following consequences: 1) dismissal of this case; 2) a default judgment entered; or 3) your new information or exhibits excluded from being presented at trial.

I am the ☐ Plaintiff ☐ Defendant

Pursuant to Rule 26.1(b)(1), ARCP, hereby discloses the following and certifies that such disclosure includes all information in his / her possession, custody and control, as well as any information which can be determined, learned or obtained by reasonable investigation:

1. What are the facts supporting the claim:

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2. A description of the damage(s) and copies of any exhibits that show how you calculated the dollar value of the damages claimed. Bring a copy of these documents / exhibits to any Pretrial Conference which may be scheduled (see 5A below).

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3. What law supports your claim(s):

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4. List of Witnesses List the names, addresses, and telephone numbers of any witnesses whom the undersigned party expects to call at trial (and include a brief summary of their expected testimony).

<u>Name</u>	<u>Address</u>	<u>Phone</u>	<u>Testimony</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

5. List of Documents and Other Information

- A. Any documents or evidence which would be available for review by the court which supports your claim(s). Bring a copy of these documents / exhibits or a description of the evidence to any Pretrial Conference which may be scheduled.
- B. Any other information, documents or witnesses of which you may have knowledge, pertaining to this matter.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_

I state under penalty of perjury that the foregoing is true and correct.

Date: \_\_\_\_\_

**I CERTIFY** that I mailed / delivered a copy of this DISCLOSURE STATEMENT to:

☐ Plaintiff at the above address or ☐ Plaintiff's attorney      ☐ Defendant at the above address or ☐ Defendant's attorney

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Plaintiff / Defendant